

**BOARD OF SELECTMEN**  
**APRIL 1, 2013**

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**I. Call to Order/Roll Call**

Chairman Paul Salafia called the Regular meeting of the Board of Selectmen to order at 6:02 P.M. on Monday, April 1, 2013 in the Selectmen's Conference Room at the Town Offices. Present were: Chairman Paul Salafia-Y and Selectmen Alex Vispoli-Y, Mary Lyman-Y, Brian Major-Y, and Dan Kowalski-Y. Also present: Town Manager Reginald S. Stapczynski, and Town Clerk Larry Murphy. The meeting was duly posted and cablecast live.

**II. Opening Ceremonies**

Chairman Salafia led the members in a Moment of Silence followed by the Pledge of Allegiance.

**III. Communications/Announcements/Liaison**

The Town Manager made the following announcements:

- ~ The Budget Sub-Committee will meet on Wednesday, April 3<sup>rd</sup> at 7:00 P.M.
- ~ Nominations for the Shining Star Award should be sent to the Council on Aging as soon as possible and nominations for the Virginia Cole Award should be sent to the Town Manager's Office by Friday, April 12<sup>th</sup>.
- ~ The League of Women Voter's Budget Forum is scheduled for Wednesday, April 10<sup>th</sup> at 7:00 P.M. in the School Committee Room at the School Administration Building.
- ~ Former Selectman Ted Teichert will be honored by the Boy Scouts of America Yankee Clipper Council on Friday, May 17<sup>th</sup> for his work with the youth of Andover, a member of the Board of Selectmen and the Andover Business Association.

Town Clerk Larry Murphy congratulated all the successful candidates at Tuesday's Town Election. April 10<sup>th</sup> is the deadline to register for the April 30<sup>th</sup> State Primary Election and the deadline to register to vote at the Annual Town Meeting is April 16<sup>th</sup>.

Selectman Lyman said she and Dan Kowalski will meet with the Town Manager to receive an update on the Town Accountant.

Selectman Vispoli reported the Economic Development Council (EDC) will meet on Thursday, April 4<sup>th</sup>.

The Town Manager pointed out that the photo on the cover of the Annual Town Report is one of the new Veteran Memorials located at Spring Grove Cemetery.

#### **IV. Citizens Petitions & Presentations**

##### **A. Andover Youth Center**

Andover Youth Center Building Committee Chairman Chris Huntress, Council on Aging Chairman Don Robb and Rosalyn Wood were present to discuss the use of funds from the Wood Trust. The proposal presents an opportunity to foster community use of the new Youth Center with programs that will benefit both the senior and youth groups and allow for expansion of Senior Center programs and the completion of the final phase for the Youth Center.

In order to accomplish this, a Special Town Meeting within the Annual Town Meeting will need to be scheduled to appropriate the remaining funds in the Wood Trust to be spent for Town services. The two groups will work with the Town Manager to outline a policy for shared space and time within both the existing Center at Punchard and the Andover Youth Center; 50% of the funds will be dedicated to a Special Stabilization Fund to provide additional programs and services and 50% of the funds will be held by the Plant & Facilities Department to help complete the final phase of the Youth Center.

Next steps include defining the scope and sequence of shared space, detail arrangements for Special Town Meeting and to present the information to the Finance Committee.

Mrs. Wood said this is a wonderful compromise as the intent of the funds was to provide assistance for seniors. She is confident this is what the Wood family would want to do.

Diane Costagliola, Chair of the Andover Youth Foundation, said the Foundation has been raising funds for many years for this project; they are thrilled and happy to support a community campus. There will be many details for the Foundation to discuss.

Alex Vispoli thanked everyone involved in working on this project especially Don Robb, Chris Huntress, and Mrs. Wood – it is a great integration of services. Brian Major said it is phenomenal that two incredible groups will be brought together which will bring the entire community together.

The Town Manager recommended the Special Town Meeting be held within the Annual Town Meeting on either May 7<sup>th</sup> or May 8<sup>th</sup>. A designated time has to be set and it has to be advertised in the newspaper by April 12<sup>th</sup>. The Board will vote on the warrant articles for the Special Town Meeting on Monday, April 8<sup>th</sup>.

#### **V. Public Hearings**

##### **A. National Grid and Verizon New England**

Selectman Major motioned to approve the request of National Grid and Verizon New England who are requesting permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Lowell Street – install a new 35C3 JO stub pole with a JO anchor. The new pole will enable support for pole #459 across the street and the removal of a pole to tree guy wire. Location is approximately 60 feet SW of the centerline of the intersection of Iceland Road and continuing approximately 18 feet in a NW direction as shown on Plan #14263176 dated March 6, 2013; and 2. Andover Street – install a stub pole #P2599-84 approximately 30 feet +/- SW of existing pole #P2599. National Grid to install a sidewalk fixture anchor and guy wire at pole #P-2599-84 – new pole will be located on sidewalk area as shown on Plan #14263294 dated January 24, 2013. The requests have been reviewed and approved by the Department of Public Works subject to the condition that street opening permits must be obtained from the DPW prior to the commencement of any work. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

B. Street Lay Out – Continued Hearing from March 18, 2013

Selectman Vispoli motioned for the Board to recommend accepting the laying out of the following street for acceptance at the 2013 Annual Town Meeting: Warrant Article #61 – Crystal Circle. The motion was seconded by Selectman Kowalski and voted 5-0 to approve. The Planning Board has recommended approval.

VI. Regular Business of the Board

A. FY-2014 Budget

1. Continued discussion with Fire Chief Michael B. Mansfield regarding the ALS Proposal.

Chief Mansfield distributed a presentation to the Board on the proposed ALS (Advanced Life Support) Program instead of the BLS (Basic Life Support) Program. He stated that 4,420 incidents annually are responded to by our EMTs with 2,200 patients transferred to Lawrence General Hospital with an average response time of 6.30 minutes.

The increase of a third ambulance with Basic Life Support Services to better provide service across Town would require eight additional firefighters/EMT's, \$400,000 in Personnel costs and does not include benefits.

Adding an Advanced Life Support System, would require a minimal amount of start-up costs with no additional staffing of FTE's, it will take up to 3 years to get ALS fully up and running and during that time they would continue their collaboration with Lawrence General Hospital. Andover Fire and Rescue will be able to provide a better response time with a single-tiered system, provide continuity of care with cross-trained and dual-role personnel.

The breakdown of expenses provided shows flexibility of personnel with a one-time expense for equipment (renewed every 5-6 years), personnel expenses for stipends and increased level training /overtime expense; training expenses would allow up to three Andover Fire & Rescue personnel to be trained. Estimated income from ALS Services

is in the area of \$318,000 to \$319,000. The Chief has a letter from MIAA which states there would not be an increase in liability costs.

Selectman Major has looked over the proposals from all perspectives and said these are two great entities whose work is phenomenal. Andover has had a good 25+ year relationship with Lawrence General Hospital. It is essential we do this and we do it right, this is not an and/or decision, this is an opportunity to figure out how to best meet the needs of this community and do it right. He suggested AFR and LGH spend time working together to figure out a creative solution that will work well for the Merrimack Valley.

Selectman Major motioned the Board of Selectmen encourage the Andover Fire & Rescue and Lawrence General Hospital to create a collaborative solution and work on the budget separately reporting back to the Board by July 1, 2013. The motion was seconded by Selectman Lyman and voted 5 – 0.

Selectman Kowalski said this request has been in the CIP for four-five years with a lot of work done analyzing this proposal. There is definitely a gap in service from LGH. Funding the proposal would motivate discussions with the Firefighters Union and with LGH moving municipal government forward. Policy direction from the Board would be helpful.

The Town Manager clarified that the proposal was in the Chief's budget request as a Program Expansion. Selectman Vispoli would like to hear from LGH about the 'gap' in response / service and if it can be improved.

#### B. 2013 Annual Town Meeting

##### 1. Warrant Article Discussion and Positions

WA#26 – Zoning Bylaw Amendment – Senior Residential Community Overlay District (SRCOD) and

WA#27 Amend Town of Andover Zoning Map – Senior Residential Community Overlay District (SRCOD)

On a motion by Selectman Major and seconded by Selectman Lyman, the Board voted 5-0 to hold on Warrant Articles 26 and 27.

WA#30 –Zoning Bylaw Amendment – Andover Transit Oriented Development District (ATODD)

Selectman Major motioned to recommend approval of Warrant Article #30 – Zoning Bylaw Amendment – Andover Transit Oriented Development District (ATODD). The motion was seconded by Selectman Vispoli and voted 4-1 to recommend approval. Mary Lyman opposed.

WA#31 –Amend Town of Andover Zoning Map – Andover Transit Oriented Development District (ATODD).

Selectman Major motioned to recommend approval of Warrant Article #31 – Amend Town of Andover Zoning Map – Andover Transit Oriented Development District (ATODD). The motion was seconded by Selectman Vispoli and voted 4-1 to recommend approval. Mary Lyman opposed.

WA#48 –Parking Management Action Plan for the Downtown – \$18,000

Selectman Vispoli motioned to recommend approval of Warrant Article #48 – Parking Management Action Plan for the Downtown not to exceed \$18,000. The motion was seconded by Selectman Major and voted 5-1 to recommend approval.

WA#57 –Zoning Bylaw Amendment – Definition of Retail Sales Establishments and Restaurants, Fast Foods

Selectman Major motioned to recommend approval of Warrant Article #57 – Zoning Bylaw amendment – Definition of Retail Sales Establishments and Restaurants, Fast Foods. The motion was seconded by Selectman Vispoli and voted 5-1 to recommend approval.

C. Special State Primary Election Warrant

Selectman Lyman motioned that the Board sign the Warrant for the Special State Primary Election to be held on April 30, 2013. The motion was seconded by Selectman Major and voted 5-0 to approve.

D. Andover High School Statement of Interest (SOI)

The Board is required to vote to refresh the Statement of Interest (SOI) for Andover High School to be submitted to the Massachusetts School Building Authority (MSBA).

Selectman Major moved for the Board of Selectmen to authorize the Town Manager to sign the Statement of Interest for Andover High School. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

Resolved: Having convened in an open meeting on April 1, 2013, the Board of Selectmen of Andover, Massachusetts in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest, dated April 10, 2013 for the Andover High School located at 80 Shawsheen Road, Andover, MA which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority #2 – Elimination of existing severe overcrowding; and Priority #4 – Prevention of severe overcrowding expected to result from increased enrollments; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an

application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

## **VII. Consent Agenda**

### **A. Fun/Run**

Selectman Lyman motioned to approve the request of Nancy Chabot, on behalf of the Andover School of Montessori, for permission to conduct a 5K Fun Run through the streets of Andover on Saturday, May 4, 2013 at 10:00 A.M. beginning and ending at the School. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

### **B. Seasonal Alcoholic Beverage License Renewal**

Selectman Vispoli motioned to approve the request of Andover Country Club, Inc., d/b/a Andover Country Club (Pool & Tennis Club), 62 Canterbury Street. The license will be effective from May 1, 2013 through September 30, 2013. The renewal request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

### **C. Storage of Inflammables Annual Registrations for 2013**

Selectman Kowalski motioned to approve the attached list of Storage of Inflammable license holders who have submitted their Certificates of Registration for 2013. The renewals have been reviewed and approved by the Fire Prevention Officer and the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the Certificates of Registration. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

### **D. Vehicle for Hire License Renewal**

Selectman Major motioned to approve the request of Andover Central Transportation Corporation, 89 Main Street, Unit 9, Andover – 20 licenses (currently has 18 licenses). The license will be effective from May 1, 2013 through April 30, 2014. The renewal request has been reviewed and approved by the Police Department Safety Officer and Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

### **E. Secondhand Dealer License Renewals**

Selectman Lyman motioned to approve the request of Bell-Time Clocks, 53 Poor Street, Dino International Furs, 33 Main Street, E & J Music, 5A Lowell Street, Grecoe Jewelers, 26 Park Street, Nazarian Jewelers, 35 Main Street Royal Jewelers, 58 Main Street LVP, Inc., d/b/a Optech, 166 North Main Street. The licenses will be effective

from May 1, 2013 through April 30, 2014. The renewal requests have been reviewed and approved by the Police Department and Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the licenses. The motion was seconded by Selectman Major and voted 5-0 to approve.

F. Class II Dealer's License

Selectman Major motioned to approve the request of Mark Ray, d/b/a Strahl Motorcars, 118 Andover Street, who is applying for a Class II Dealer's license at 118 Andover Street, Andover. The license will be effective from the date of approval through December 31, 2013. The request has been reviewed and approved by the Inspector of Buildings, the Police Department and the Town Clerk and is subject to the conditions that no commercial vehicles may be stored on site except as provided for in the Andover Bylaws, Article VIII, Sections 3.2.1.3 and 3.2.1.4 and that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

G. Appointments and Re-appointments

The Board discussed the following appointments by the Town Manager.

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>PLANT &amp; FACILITIES DEPARTMENT – Parks, Grounds, Cemetery &amp; Forestry</u>			
Paul Sanborn	Superintendent (v. R. Pickersgill)	IE28-1-1/\$76,464	4/8/13
<u>DEPARTMENT OF PUBLIC WORKS – Highway Division</u>			
Patrick Kelley	Equipment Operator I (T. Legrow)	W3-1-0/\$45,978	4/2/13
<u>MEMORIAL HALL LIBRARY</u>			
Stefani Traina	Community Services Librarian – PT – 16 hrs./wk. (v. S. St. Laurence)	IE20/2/\$29.36/hr.	4/3/13
<u>BOARD OF HEALTH</u>			
Dr. Gopala K. Dwarakanath – Term expires 6/30/15 (v. Dr. D. Miller)			
<u>GREEN ADVISORY BOARD</u>			
Austin C. Stern II – Term expires 6/30/15 (v. P. Russell)			



The Board discussed the process and policy on new Superintendent/Management positions which are to be discussed with the Board prior to being brought forward for approval. There was also a question on the selection of Stefani Traina, as a part-time Librarian and whether her letter of resignation from the MHL Board of Trustees was received and in order.

On a motion by Selectman Vispoli and seconded by Selectman Major, the Board voted 4-1 to approve the above appointments by the Town Manager with the contingency that Town Counsel review the resignation letter of Stefani Traina and confirm that all is in order. Mary Lyman abstained

**VIII. Approval of Minutes from Previous Meetings**

Selectman Lyman motioned to approve the following minutes:

Regular Meeting of March 4, 2013

March 6, 2013 Tri-Board Meeting (Board of Selectmen, Finance Committee & School Committee)

March 11, 2013 Joint Meeting (Board of Selectmen & Finance Committee),

March 13, 2013 Tri-Board Budget Sub-Committee Workshop (Board of Selectmen, Finance Committee & School Committee)

March 13, 2013 Joint Meeting (Board of Selectmen & Finance Committee).

The motion was seconded by Selectman Major and voted 5-0 to approve.

**IX. Adjournment**

At 9:38 P.M. on a motion by Selectman Major and seconded by Selectman Vispoli, the Board unanimously voted to adjourn the Regular Meeting of April 1, 2013.

Respectfully submitted,

Dee DeLorenzo, Recorder

Documents: Town Manager's Revised Recommended FY-14 Operating Budget Allocations  
Documentation on Wood Trust Fund dated August 4, 2005, September 22, 1999, January 6, 2000 and April 19, 2005  
Article 26 & 27 – Senior Residential Community Overlay District – Memo of March 28, 2013 from Director of Planning Paul Materazzo  
Article 48 – Parking Management Action Plan for Downtown – Memo from Director of Planning Paul Materazzo  
Letter from Attorney Carol McGravey of Urbelis & Fieldsteel dated April 1, 2013 regarding Street Acceptance of Crystal Circle